REMARKS/ARGUMENTS

Status of Claims

Claims 1, 4-6, 8, 11, 13, 14, and 21-28 stand rejected.

Claims 6 and 25-27 are hereby canceled.

Claims 8, 11, 24, and 28 are currently amended.

As such, claims 1, 4-5, 8, 11, 13, 14, 21-24, and 28 are currently pending in the application.

The Applicant hereby requests further examination and reconsideration of the presently claimed application.

Claim Objection

Claim 8 is objected to because it contained the term "forwardings." The Applicant has amended claim 8 as suggested by the Examiner.

Claim Rejections – 35 U.S.C. § 112

Claims 6, 8, and 21 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 has been canceled, and claim 8 has been amended to overcome the rejection. Claim 21 depends from claim 8, thus claim 21 has also been amended to overcome the rejection.

Claim Rejections – 35 U.S.C. § 101

Claims 24-28 stand rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Claim 24 has been amended to recite a router. Clearly, a router is a device, and not merely software. In addition, claim 24 recites a system comprising a SP located between a terminal and a server. Paragraph 6 of the specification states that the "SP

or MP can be implemented in an individual device, or can be integrated into other devices." Thus, the SP is a device. Therefore, claim 24 recites a system that is directed to statutory subject matter. Claim 28 depends from claim 24, thus claim 28 is also directed to statutory subject matter.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 4, 6, 11, 13, 22, and 23 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Publication 2002/0021688 (*Chen*). Claims 24-27 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,146,410 (*Akman*). Claims 6 and 25-27 are hereby canceled, claims 4 and 22 depend from independent claim 1, and claims 13 and 23 depend from independent claim 11. Thus, claims 1, 4, 11, 13, 22, and 23 stand or fall on the application of *Chen* to independent claims 1 and 11, and claim 24 stands or falls on the application of *Akman* to independent claim 24. According to MPEP § 2131, " [a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." The Applicant respectfully asserts that *Chen* fails to teach each and every element of independent claims 1 and 11, and consequently fails to anticipate claims 1, 4, 11, 13, 22, and 23. In addition, the Applicant respectfully asserts that *Akman* fails to teach each and every element of independent claim 24, and consequently fails to anticipate claim 24.

Chen fails to anticipate claims 1, 4, 11, 13, 22, and 23 because *Chen* fails to teach a signaling proxy (SP) that processes the message if the destination address of the message is different than a SP address and an address for which the message is intended. Claims 1 and 11 read:

1. A method, comprising:

    receiving a message by a signaling proxy (SP), wherein the message has a source address and a destination address;

    processing the message if the destination address of the message is different than a SP address and an address for which the message is intended; and

    sending the message.

11. **A signaling proxy (SP) apparatus**, comprising:

    a receiving unit configured to receiving a message, wherein the message has a source address and a destination address;

    a processing unit configured to **process the message if the destination address of the message is different than a SP address and an address for which the message is intended**; and

    a sending unit configured to send the message.

(Emphasis added). As shown above, claims 1 and 11 require a SP that processes the message if the destination address of the message is different than a SP address and an address for which the message is intended. Neither *Chen's* home agent (HA) nor *Chen's* foreign agent (FA) meet the above limitation. Specifically, *Chen's* HA processes packets that comprise the mobile node's (MN's) address as the destination address:

> In FIG. 3a, **a packet 30 conventionally addressed to a mobile in a foreign network has** as source address 32 the IP address of CN 24; and **as destination address 34 the home address of MN 28**. FIG. 3a also illustrates payload 38 and other fields 36.
>
> **As each packet destined for MN 28 arrives at HA 26**, the HA looks up the CNID and CN address mapping table to find the CNID corresponding to the source address on the packet; **the HA then replaces** the original source address with the HA address, and **the destination address with the COA of MN 28**. The HA 26 adds a CNID field 40 and an MN ID field 42, adjusts the packet checksum, and dispatches the packet.

Chen, ¶¶ 25 & 32 (emphasis added). As shown above, **_Chen's_ HA process packets that comprise the MN's destination address, which is the address for which the message is intended**. *Chen's* HA cannot be the claimed SP because *Chen's* HA does not process a message that has a destination address that is different than an address for which the message is intended

(e.g. different than the HA's address). In addition, *Chen's* FA processes packets that comprise

the MN's care-of address (CoA), e.g. the FA's address, as the destination address:

> As each packet destined for MN 28 arrives at HA 26, the HA looks up the CNID and CN address mapping table to find the CNID corresponding to the source address on the packet; **the HA then replaces** the original source address with the HA address, and **the destination address with the COA of MN 28**. The HA 26 adds a CNID field 40 and an MN ID field 42, adjusts the packet checksum, and dispatches the packet [to the FA].
>
> **When the packet arrives at the FA 30** or MN 28, the CNID-to-CN table is looked up and the source address of the HA 26 is replaced by the real address of CN 24, and **the destination address is replaced with the home address of the mobile**. For FA COA mode, the MNID-to-MN table is looked up, as explained above. The checksum is adjusted and the packet is delivered to the MN 28 (for FA COA mode) or the an [sic] application (for CO-COA mode).

Chen, ¶ 32 & 33 (emphasis added). As shown above, *Chen's* FA processes packets that

comprise the MN's CoA as the destination address. As is well known in the art, **the MN's CoA**

is the FA's address (otherwise, the IP packet would be routed to the FA). *Chen's* FA cannot be

the claimed SP because *Chen's* FA does not process a message that has a destination address that

is different than an address for which the message is intended (e.g. different than the FA's

address). Thus, *Chen* fails to teach a SP that processes the message if the destination address of

the message is different than a SP address and an address for which the message is intended. As

such, *Chen* fails to teach at least one element of independent claims 1 and 11, and consequently

fails to anticipate claims 1, 4, 11, 13, 22, and 23.

Akman fails to anticipate the claim 24 because *Akman* fails to teach a SP located between

a terminal and a server, and a router located between the terminal and the SP. Claim 24, which

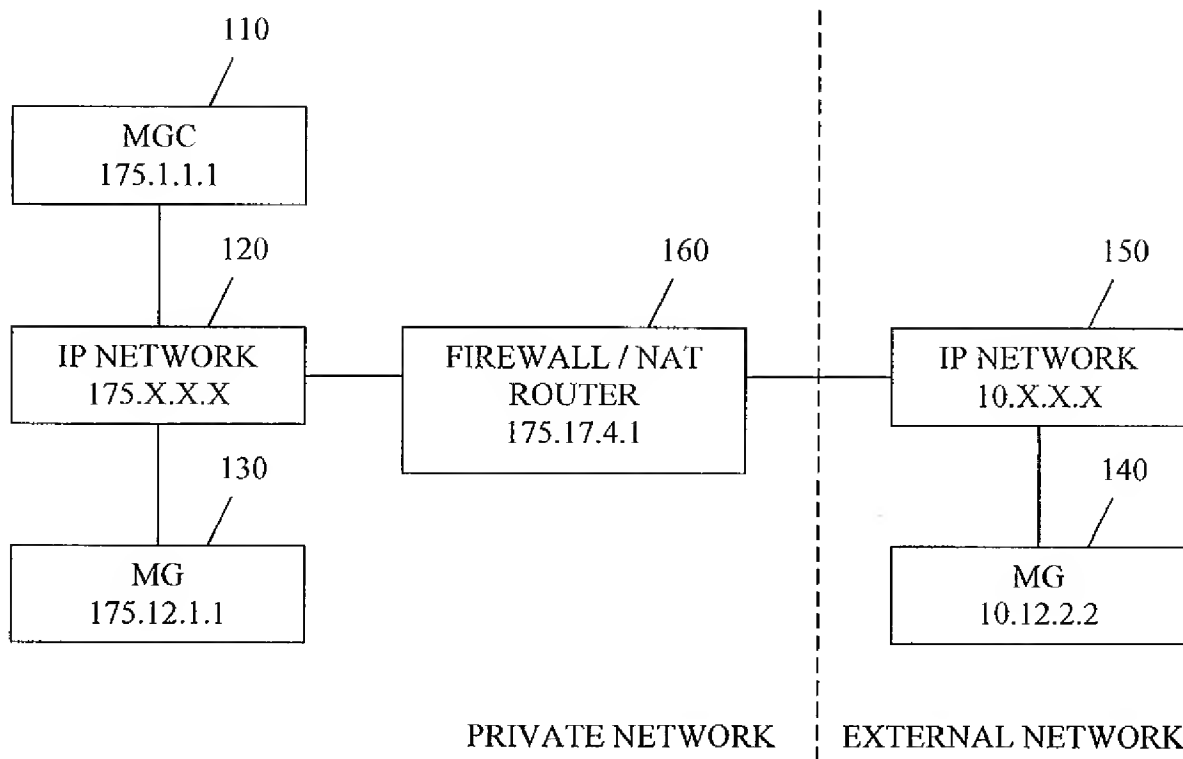has been amended to incorporate the limitations of claim 27, reads:

24. A system, comprising:

<u>a signaling proxy (SP) located between a terminal and a server</u>; and
<u>a router located between the terminal and the SP,</u>

wherein the SP is configured to receive a message and process the message if at least one of a VPN ID, a VLAN ID, a MPLS ID, an IP protocol type, a source address, or a source port of the message meets a strategy of the SP; and

wherein the router is configured to forward the message to the SP according to a forwarding strategy.

(Emphasis added). As shown above, claim 24 requires a SP located between a terminal and a server, and a router located between the terminal and the SP. The Examiner contends that *Akman's* MEGACO NAT functionality (in either the Firewall/NAT Router 160 in FIG. 1A or the MEGACO NAT 170 in FIG. 1B) corresponds to the claimed SP, *Akman's* media gateway (MG) 130 corresponds to the claimed terminal, and *Akman's* media gateway controller (MGC) 110 corresponds to the claimed server. *See* office action dated December 14, 2009, pp. 8-9. Assuming such is true (and without conceding such), neither of *Akman's* two embodiments teaches the above limitations. Specifically, ***Akman's* <u>first embodiment combines the router with the MEGACO NAT functionality, and thus lacks a router located between the terminal (MG) and the SP (Firewall / NAT Router):</u>**

110

MGC
175.1.1.1

120

IP NETWORK
175.X.X.X

160

FIREWALL / NAT
ROUTER
175.17.4.1

150

IP NETWORK
10.X.X.X

130

MG
175.12.1.1

140

MG
10.12.2.2

PRIVATE NETWORK | EXTERNAL NETWORK

Akman, FIG. 1A (modified). As shown above, *Akman's* first embodiment combines the router with the MEGACO NAT functionality, and thus lacks a router located between the terminal (MG) and the SP (Firewall / NAT Router).[1] As such, *Akman's* first embodiment fails to teach a router located between the terminal and the SP. *Akman's* second embodiment also fails to teach the above limitations because the SP (MEGACO NAT) in *Akman's* second embodiment is not located between the terminal (MG) and the server (MGC):

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[1] Alternatively, *Akman's* Firewall / NAT Router 160 in his FIG. 1A could be interpreted to be the claimed router. In such a case, *Akman* would lack a SP located between the terminal (MG) and the server (MGC).

                        PRIVATE NETWORK ¦ EXTERNAL NETWORK
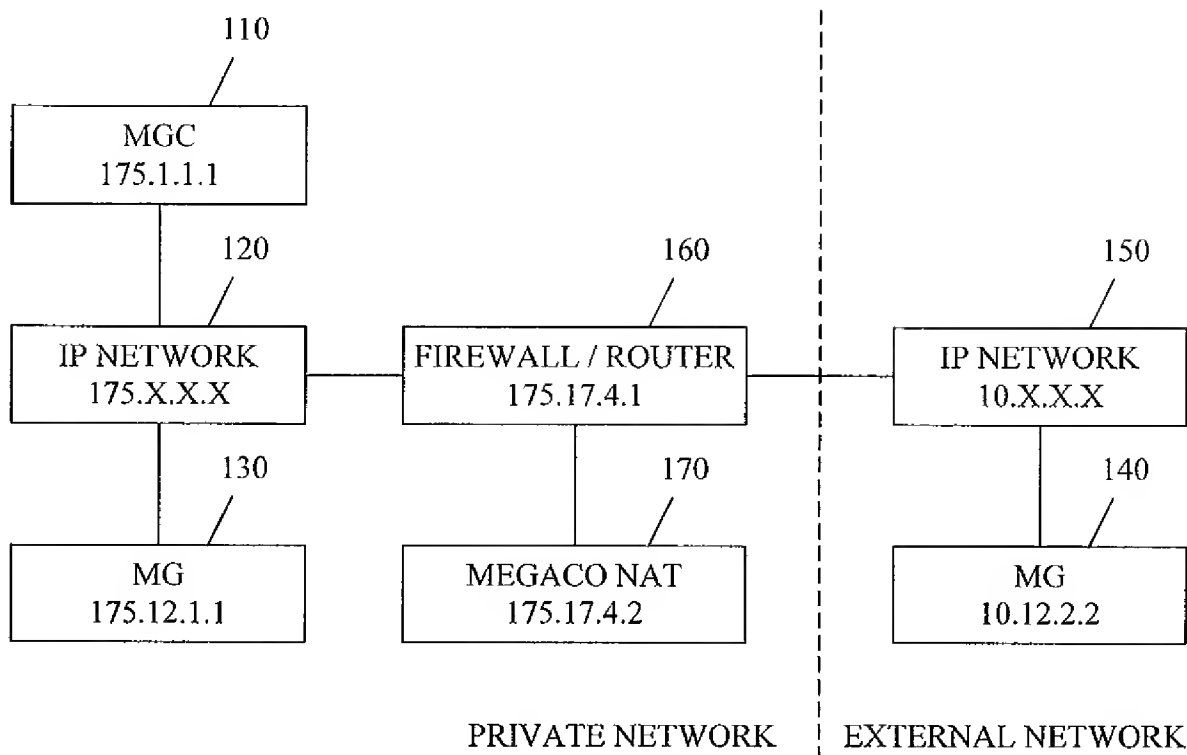
Akman, FIG. 1B (modified). As shown above, the SP (MEGACO NAT) in *Akman's* second embodiment is not located between the terminal (MG) and the server (MGC). Thus, *Akman's* second embodiment fails to teach a SP located between a terminal and a server. As such, *Akman* fails to teach at least one element of independent claim 24, and consequently fails to anticipate claim 24.

Claim Rejections – 35 U.S.C. § 103

Claims 5, 8, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chen* in view of *Akman.* Claim 21 stands rejected under U.S.C. § 103(a) as being unpatentable over *Chen* in view of *Akman* and U.S. Patent 7,574,522 (*Oguchi*). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Akman* in view of *Oguchi.* Claims 5, 8, and 21 depend from independent claim 1, claim 14 depends from independent claim 11, and claim 28 depends from independent claim 24. Claims 1, 11, and 24 are allowable over the cited prior art

for the reasons given above, thus claims 5, 8, 14, 21, and 28 are also allowable over the cited prior art.

Entry of Claim Amendments Proper

Claim 27 has been rewritten in independent form by including the limitations of claims 26 and 27 into claim 24. Therefore, the amendments to claim 24 should be entered. In addition, the amendments to claims 8 and 11 correct minor errors and do not change the scope of the claims. As such, the amendment to claims 8 and 11 do not raise any new matter issues and do require further consideration and/or search. Thus, the amendments to claims 8 and 11 should be entered.

CONCLUSION

Consideration of the foregoing amendments and remarks, reconsideration of the application, and withdrawal of the rejections and objections is respectfully requested by the Applicant. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Final Office Action dated December 14, 2009 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to telephone the undersigned at the telephone number given below.

Respectfully submitted,
CONLEY ROSE, P.C.

Date: 2/10/10

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